

PHILLIP A. TALBERT
United States Attorney
ROGER YANG
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORDAN T. PIPER,

Defendant.

CASE NO. 2:22-mj-0097-CKD

STIPULATION REGARDING
EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

STIPULATION

Plaintiff United States of America, by and through its counsel of record Assistant United States Attorney ROGER YANG, and the Defendant, JORDAN T. PIPER, by and through his counsel of record TASHA PARIS CHALFANT, hereby stipulate and request that the Court make the following findings and Order as follows:

1. By previous order, this matter was set for preliminary hearing on November 17, 2022.
2. By this stipulation, the defendant now moves to continue the preliminary hearing

STIPULATION AND ORDER FOR
CONTINUANCE OF PRELIMINARY HEARING
AND FOR EXCLUSION OF TIME

1 until January 19, 2023, and to exclude time between November 17, 2022, and January 19, 2023,
2 under Local Code T4. The defendant consents to this extension of time, and requests that the
3 Court find good cause to extend time for the preliminary hearing under Rule 5.1(d). Plaintiff
4 does not oppose this request.

5 3. The parties agree and stipulate, and request that the Court find the following:

6 a. The government prepared a protective order and produced discovery. This
7 includes over 800 pages with investigative reports in electronic form, as well as photographs,
8 video files and spreadsheets. All of this discovery has either been produced directly to counsel,
9 and/or made available for inspection and copying.

10 b. Counsel for the defendant desires additional time to review the discovery,
11 develop the case, conduct investigation, consult with her client, discuss potential resolution, and
12 to explain the consequences and guidelines. Counsel for the defendant has recently identified
13 specific legal and factual issues that she needs to discuss with her client.

14 c. In addition to the public health concerns cited by General Order 611 and
15 presented by the evolving COVID-19 pandemic, an ends-of-justice delay is particularly apt in
16 this case because counsel or other relevant individuals have been encouraged to telework,
17 minimize personal contact to the greatest extent possible and not conduct visits at the county
18 jails. It will be difficult to avoid personal contact should the hearing proceed.

19 d. Counsel for the defendant believes that failure to grant the above-requested
20 continuance would deny her the reasonable time necessary for effective preparation, taking into
21 account the exercise of due diligence.

22 e. The government does not object to the continuance.

23 f. Based on the above-stated findings, the ends of justice served by continuing the
24 case as requested outweigh the interest of the public and the defendant in a trial within the
25 original date prescribed by the Speedy Trial Act.
26
27

28 STIPULATION AND ORDER FOR
CONTINUANCE OF PRELIMINARY HEARING
AND FOR EXCLUSION OF TIME

g. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 17, 2022, to January 19, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

All counsel have reviewed this proposed stipulation and order and authorized Roger Yang to sign it on their behalf.

IT IS SO STIPULATED.

Dated: November 14, 2022

by: /s/ Roger Yang
ROGER YANG
Assistant U.S. Attorney
Attorney for Plaintiff

Dated: November 14, 2022

by: /s/ Roger Yang
TASHA CHALFANT
Attorney for Defendant
JORDAN T. PIPER

STIPULATION AND ORDER FOR
CONTINUANCE OF PRELIMINARY HEARING
AND FOR EXCLUSION OF TIME

ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing therefrom, adopts the stipulation of the parties in its entirety as its order. Based on the stipulation of the parties and the recitation of facts contained therein, the Court finds that the failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice to be served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds good cause to extend time for the preliminary hearing under Rule 5.1(d).

The Court orders that the time from the date of the parties' stipulation, November 17, 2022, to and including January 19, 2023, preliminary hearing date shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C §3161(h)(7)(A) and (B) (iv), and Local Code T4 (reasonable time for defense counsel to prepare). It is further ordered that the presently set November 17, 2022, preliminary hearing shall be continued to January 19, 2023 at 2:00 p.m.

IT IS SO FOUND AND ORDERED

Dated: November 15, 2022



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

STIPULATION AND ORDER FOR
CONTINUANCE OF PRELIMINARY HEARING
AND FOR EXCLUSION OF TIME